

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

UNITED STATES OF AMERICA

PLAINTIFFS

v.

Case No. 1:66-cv-1095

JUNCTION CITY SCHOOL DISTRICT NO. 75,
ET AL.

DEFENDANTS

ORDER

The Court hereby gives notice to the Arkansas Attorney General that a constitutional question has been raised in the above captioned case. The Court deems the constitutional question to be substantial and, pursuant to Fed. R. Civ. P. 5.1(b) and 28 U.S.C. § 2403, hereby certifies the following question:

Whether the Arkansas Public School Choice Act of 2015, as amended by Act 1066 of the Regular Session of 2017, which authorizes the Arkansas Department of Education to determine whether or not a school district has a conflict with participating in school choice, violates the United States Constitution.

The Clerk of Court is hereby directed to serve this Order by certified mail on the Arkansas Attorney General for consideration pursuant to 28 U.S.C. § 2403. The Clerk of Court is further directed to serve this Order by certified mail to the following: Jonathan Newton, U.S. Department of Justice, Civil Rights Division Educational Opportunities Section, 601 D Street, NW Patrick Henry Building, Rm. 4116 ,Washington, DC 20004; and John W. Walker, John W. Walker, P.A., 1723 Broadway, Little Rock, Arkansas 72206.

IT IS SO ORDERED, this 15th day of June, 2018.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge